

# Multiple Agency Fiscal Note Summary

|                             |                                    |
|-----------------------------|------------------------------------|
| <b>Bill Number:</b> 1807 HB | <b>Title:</b> Speed safety cameras |
|-----------------------------|------------------------------------|

## Estimated Cash Receipts

| Agency Name                       | 2023-25  |             |                  | 2025-27  |             |                  | 2027-29  |             |                  |
|-----------------------------------|--|-------------|------------------|----------|-------------|------------------|----------|-------------|------------------|
|                                   | GF-State   | NGF-Outlook | Total            | GF-State | NGF-Outlook | Total            | GF-State | NGF-Outlook | Total            |
| Office of Attorney General        | 0  | 0           | 2,324,000        | 0        | 0           | 4,566,000        | 0        | 0           | 4,566,000        |
| Office of Administrative Hearings | 0  | 0           | 2,487,000        | 0        | 0           | 4,974,000        | 0        | 0           | 4,974,000        |
| Department of Transportation      | Non-zero but indeterminate cost and/or savings. Please see discussion. |             |                  |          |             |                  |          |             |                  |
| <b>Total \$</b>                   | <b>0</b>   | <b>0</b>    | <b>4,811,000</b> | <b>0</b> | <b>0</b>    | <b>9,540,000</b> | <b>0</b> | <b>0</b>    | <b>9,540,000</b> |

| Agency Name         | 2023-25  |       | 2025-27   |       | 2027-29   |       |
|---------------------|--|-------|-----------|-------|-----------|-------|
|                     | GF- State  | Total | GF- State | Total | GF- State | Total |
| Local Gov. Courts   | Non-zero but indeterminate cost and/or savings. Please see discussion. |       |           |       |           |       |
| Loc School dist-SPI |  |       |           |       |           |       |
| Local Gov. Other    | No fiscal impact   |       |           |       |           |       |
| Local Gov. Total    |  |       |           |       |           |       |

## Estimated Operating Expenditures

| Agency Name                         | 2023-25  |          |             |                   | 2025-27     |          |             |                   | 2027-29     |          |             |                   |
|-------------------------------------|--|----------|-------------|-------------------|-------------|----------|-------------|-------------------|-------------|----------|-------------|-------------------|
|                                     | FTEs   | GF-State | NGF-Outlook | Total             | FTEs        | GF-State | NGF-Outlook | Total             | FTEs        | GF-State | NGF-Outlook | Total             |
| Administrative Office of the Courts | .0   | 0        | 0           | 0                 | .0          | 0        | 0           | 0                 | .0          | 0        | 0           | 0                 |
| Office of Attorney General          | 7.9  | 0        | 0           | 2,324,000         | 15.6        | 0        | 0           | 4,566,000         | 15.6        | 0        | 0           | 4,566,000         |
| Office of Administrative Hearings   | 8.6  | 0        | 0           | 2,487,000         | 17.1        | 0        | 0           | 4,974,000         | 17.1        | 0        | 0           | 4,974,000         |
| Washington State Patrol             | 1.0  | 0        | 0           | 6,204,210         | 2.0         | 0        | 0           | 12,308,392        | 2.0         | 0        | 0           | 12,308,392        |
| Washington State Patrol             | In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note. |          |             |                   |             |          |             |                   |             |          |             |                   |
| Traffic Safety Commission           | .0   | 0        | 0           | 0                 | .0          | 0        | 0           | 0                 | .0          | 0        | 0           | 0                 |
| Department of Licensing             | .0   | 0        | 0           | 0                 | .0          | 0        | 0           | 0                 | .0          | 0        | 0           | 0                 |
| Department of Transportation        | 1.0  | 0        | 0           | 3,529,000         | 1.0         | 0        | 0           | 6,632,000         | 1.0         | 0        | 0           | 6,637,000         |
| <b>Total \$</b>                     | <b>18.5</b>  | <b>0</b> | <b>0</b>    | <b>14,544,210</b> | <b>35.7</b> | <b>0</b> | <b>0</b>    | <b>28,480,392</b> | <b>35.7</b> | <b>0</b> | <b>0</b>    | <b>28,485,392</b> |

| Agency Name         | 2023-25          |          |       | 2025-27 |          |       | 2027-29 |          |       |
|---------------------|------------------|----------|-------|---------|----------|-------|---------|----------|-------|
|                     | FTEs             | GF-State | Total | FTEs    | GF-State | Total | FTEs    | GF-State | Total |
| Local Gov. Courts   |                  |          |       |         |          |       |         |          |       |
| Loc School dist-SPI |                  |          |       |         |          |       |         |          |       |
| Local Gov. Other    | No fiscal impact |          |       |         |          |       |         |          |       |
| Local Gov. Total    |                  |          |       |         |          |       |         |          |       |

### Estimated Capital Budget Expenditures

| Agency Name                         | 2023-25    |          |          | 2025-27    |          |          | 2027-29    |          |          |
|-------------------------------------|------------|----------|----------|------------|----------|----------|------------|----------|----------|
|                                     | FTEs       | Bonds    | Total    | FTEs       | Bonds    | Total    | FTEs       | Bonds    | Total    |
| Administrative Office of the Courts | .0         | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Office of Attorney General          | .0         | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Office of Administrative Hearings   | .0         | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Washington State Patrol             | .0         | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Traffic Safety Commission           | .0         | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Department of Licensing             | .0         | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Department of Transportation        | .0         | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| <b>Total \$</b>                     | <b>0.0</b> | <b>0</b> | <b>0</b> | <b>0.0</b> | <b>0</b> | <b>0</b> | <b>0.0</b> | <b>0</b> | <b>0</b> |

| Agency Name         | 2023-25          |          |       | 2025-27 |          |       | 2027-29 |          |       |
|---------------------|------------------|----------|-------|---------|----------|-------|---------|----------|-------|
|                     | FTEs             | GF-State | Total | FTEs    | GF-State | Total | FTEs    | GF-State | Total |
| Local Gov. Courts   |                  |          |       |         |          |       |         |          |       |
| Loc School dist-SPI |                  |          |       |         |          |       |         |          |       |
| Local Gov. Other    | No fiscal impact |          |       |         |          |       |         |          |       |
| Local Gov. Total    |                  |          |       |         |          |       |         |          |       |

### Estimated Capital Budget Breakout

|                                       |                                 |   |
|---------------------------------------|---------------------------------|---|
| <b>Prepared by:</b> Tiffany West, OFM | <b>Phone:</b><br>(360) 890-2653 | <b>Date Published:</b><br>Final 3/ 6/2023 |
|---------------------------------------|---------------------------------|---|

# Judicial Impact Fiscal Note

|                             |                                    |  |
|-----------------------------|------------------------------------|--|
| <b>Bill Number:</b> 1807 HB | <b>Title:</b> Speed safety cameras | <b>Agency:</b> 055-Administrative Office of the Courts |
|-----------------------------|------------------------------------|--|

## Part I: Estimates

☐

No Fiscal Impact

Estimated Cash Receipts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

*The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.*

Check applicable boxes and follow corresponding instructions:

☐

If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note for Parts I-V.

☒

If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).

☐

Capital budget impact, complete Part IV.

|                                       |                       |                  |
|---------------------------------------|-----------------------|------------------|
| Legislative Contact: Christine Thomas | Phone: 360-786-7142   | Date: 02/11/2023 |
| Agency Preparation: Angie Wirkkala    | Phone: 360-704-5528   | Date: 02/15/2023 |
| Agency Approval: Chris Stanley        | Phone: 360-357-2406   | Date: 02/15/2023 |
| OFM Review: Gaius Horton              | Phone: (360) 819-3112 | Date: 02/16/2023 |

183,747.00

Request # 183-1

Form FN (Rev 1/00)

1

Bill # 1807 HB

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

The bill would amend and add a new section to Chapter 46.63 RCW allowing law enforcement to issue infractions detected by speed safety cameras, directing rule-making, and referring adjudication of infractions to the Office of Administrative Hearings.

Section 3(12) would direct infraction revenue generated from speed safety camera systems to the motor vehicle fund and used for operating and administrative costs as well as traffic safety education.

II. B - Cash Receipts Impact

Indeterminate fiscal impact is expected to the Administrative Office of the Courts and the courts. Because this bill allows law enforcement to issue a notice of infraction when the infraction is detected through the use of a speed safety camera, there will likely be an impact on infraction revenues that would have otherwise been deposited as all other traffic infractions – portions of which are deposited in the Judicial Information Systems (JIS) Account and kept locally. This bill directs infraction revenue from speed safety camera systems to the motor vehicle fund.

The primary revenue stream for the JIS is traffic infractions. There has been an almost 50 percent drop in infraction revenues over the past two years and this measure is expected to increase that drop.

II. C - Expenditures

None

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

NONE

III. B - Expenditure By Object or Purpose (County)

NONE

III. C - Expenditure By Object or Purpose (City)

NONE

III. D - FTE Detail

NONE

III. E - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B1 - Expenditures by Object Or Purpose (State)

NONE

IV. B2 - Expenditures by Object Or Purpose (County)

NONE

IV. B3 - Expenditures by Object Or Purpose (City)

NONE

183,747.00

Form FN (Rev 1/00)

#### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

None

# Individual State Agency Fiscal Note

|                             |                                    |   |
|-----------------------------|------------------------------------|---|
| <b>Bill Number:</b> 1807 HB | <b>Title:</b> Speed safety cameras | <b>Agency:</b> 100-Office of Attorney General |
|-----------------------------|------------------------------------|---|

## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

| ACCOUNT   | FY 2024 | FY 2025   | 2023-25   | 2025-27   | 2027-29   |
|---|---------|-----------|-----------|-----------|-----------|
| Legal Services Revolving Account-State<br>405-1 | 41,000  | 2,283,000 | 2,324,000 | 4,566,000 | 4,566,000 |
| <b>Total \$</b>                                 | 41,000  | 2,283,000 | 2,324,000 | 4,566,000 | 4,566,000 |

### Estimated Operating Expenditures from:

|   | FY 2024 | FY 2025   | 2023-25   | 2025-27   | 2027-29   |
|---|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years                                 | 0.3     | 15.6      | 7.9       | 15.6      | 15.6      |
| <b>Account</b>                                  |         |           |           |           |           |
| Legal Services Revolving<br>Account-State 405-1 | 41,000  | 2,283,000 | 2,324,000 | 4,566,000 | 4,566,000 |
| <b>Total \$</b>                                 | 41,000  | 2,283,000 | 2,324,000 | 4,566,000 | 4,566,000 |

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

|                                       |                       |                  |
|---------------------------------------|-----------------------|------------------|
| Legislative Contact: Christine Thomas | Phone: 360-786-7142   | Date: 02/11/2023 |
| Agency Preparation: Dave Merchant     | Phone: 360-753-1620   | Date: 02/27/2023 |
| Agency Approval: Edd Giger            | Phone: 360-586-2104   | Date: 02/27/2023 |
| OFM Review: Cheri Keller              | Phone: (360) 584-2207 | Date: 02/27/2023 |

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 1: Amends RCW 46.63.030 to provide law enforcement authority to issue traffic infractions detected by speed safety camera system in highway work zones.

Section 2: Amends RCW 46.63.075 to specifically include speed safety camera systems, in addition to already permitted automated traffic camera systems.

Section 3: New section added to RCW 46.63. Allows for use of speed safety camera systems in state highway work zones. The Washington State Patrol (WSP) will be lead agency for rule-making regarding the use of speed safety camera systems, including placement, notice, rental car rules, and for enforcement, such as use in adjudications. WSP shall consult with Washington State Department of Transportation (WSDOT), Department of Licensing (DOL) and other affected agencies. Provides for revenue to be deposited in the highway safety fund and used for purposes of traffic safety, including but not limited to driver training and driving under the influence emphasis patrols. WSP, WSDOT, and the Washington Traffic Safety Commission (WTSC) are to collaborate and produce a report by July 1, 2029, regarding efficacy of speed safety camera system and to recommend for or against continued use. Section 3, applicable to work zones, expires on June 30, 2030.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

Cash receipts are assumed to equal the Legal Services Revolving Account (LSRA) cost estimates. These will be billed through the revolving account to the client agency.

The client agency is the Washington State Patrol (WSP). The Attorney General’s Office (AGO) will bill all clients for legal services rendered.

These cash receipts represent the AGO’s authority to bill and are not a direct appropriation to the AGO. The direct appropriation is reflected in the client agency’s fiscal note. Appropriation authority is necessary in the AGO budget.

AGO AGENCY ASSUMPTIONS:

WSP will be billed for Seattle and non-Seattle rates:  
FY 2024: \$41,000 for 0.16 Assistant Attorney General FTE (AAG), 0.08 Legal Assistant 3 FTE (LA).  
FY 2025, and in each FY thereafter: \$2,283,000 for 8.9 AAG, and 4.45 LA.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Attorney General’s Office (AGO) Agency Assumptions:

This bill is assumed effective 90 days after the end of the 2023 legislative session.

Location of staffing is assumed to be in Seattle and non-Seattle office buildings.

Total workload impact in this request includes standard assumption costs for goods & services, travel, and capital outlays

for all FTE identified.

Agency administration support FTE are included in the tables. The Management Analyst 5 (MA), is used as a representative classification. An example ratio is for every 1.0 Assistant Attorney General FTE (AAG), the AGO includes 0.5 FTE for a Legal Assistant 3 (LA) and 0.25 FTE of an MA.

1. Assumptions for the AGO Government Compliance and Enforcement Division's (GCE) Legal Services for the Washington State Patrol (WSP):

The AGO will bill WSP for legal services based on the enactment of this bill.

GCE represents WSP in administrative litigation. Section 1 of this bill would enable law enforcement officers to issue a notice of traffic infraction for violations detected through the use of a speed safety camera system under Section 3 of the bill. Section 3 would enable the use of speed safety camera in state highway work zones. WSP, in consultation with various stakeholders, would adopt rules for the use of speed safety camera systems in highway work zones. Subsection 3(5)(a) would require that notices of infraction be referred to the Office of Administrative Hearings (OAH) for adjudication consistent with the Administrative Procedure Act (APA).

WSP assumes that rulemaking would occur in FY 2024 and the cameras would be deployed to work zones starting in FY 2025. GCE will provide legal advice during the rulemaking process, which would result in 80 AAG hours of new work in FY 2024.

Because this would be a new program for Washington State Department of Transportation (WSDOT) and WSP, information was sought from Pennsylvania, which has a similar program in place. Based on Pennsylvania's experience, and adjusted for population differences, WSDOT and WSP assume that beginning in FY 2025 and continuing each year thereafter, administrative hearings would be sought for 8,000 infractions.

GCE assumes that many registered owners would seek a hearing to request mitigation of the penalty and fees and that those cases would utilize very few resources. GCE also assumes that hearings in which the infractions were contested would utilize more resources. As a result, GCE would utilize an average of two AAG hours per case, resulting in 16,000 AAG hours of new work beginning in FY 2025 and continuing each year thereafter.

GCE total non-Seattle FTE workload impact:

FY 2024: \$20,000 for 0.08 AAG, 0.04 LA.

FY 2025, and in each FY thereafter: \$2,280,000 for 8.89 AAG, and 4.45 LA.

2. Assumptions for the AGO Criminal Justice Division's (CRJ) Legal Services for the WSP:

The AGO will bill WSP for legal services based on the enactment of this bill.

CRJ advises WSP on programmatic issues and rulemaking. Section 1 of the bill would enable law enforcement officers to issue a notice of traffic infraction for violations detected through the use of a speed safety camera system under section 3 of the act. Section 3 would enable the use of speed safety camera in state highway work zones. WSP, in consultation with various stakeholders, would adopt rules for the use of speed safety camera systems in highway work zones. Subsection 3(5)(a) would require that notices of infraction be referred to the OAH for adjudication consistent with the APA.

WSP assumes that rulemaking would occur in FY 2024 and the cameras would be deployed to work zones starting in FY 2025. CRJ would provide legal advice during the rulemaking process, which would result in 140 AAG hours of new work in FY 2024. CRJ assumes that it will assume the bulk of the AAG hours for rulemaking advice.

CRJ total Seattle FTE workload impact:

FY 2024: \$21,000 for 0.08 AAG, 0.04 LA.

FY 2025, and in each FY thereafter: \$3,000 for 0.01 AAG, and 0.01 LA.

3. The AGO Solicitor General's Office (SGO) has reviewed this bill and determined it will not significantly increase or decrease the division's workload. New legal services are nominal and costs are not included in this request.

4. The AGO Transportation and Public Construction Division (TPC) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the WSDOT. The enactment of this bill will not impact the provision of TPC's legal services to WSDOT or Washington Traffic Safety Commission (WTSC). The two entities only have a consultative role to WSP in Section 3(3). We estimate nominal hours per year if public records requests are propounded under Section 3(8). There are no legal services required for WSDOT and WTSC's role in preparing a report in Section 3(13). New legal services are nominal and costs are not included in this request.

5. The AGO Licensing & Administrative Law Division (LAL) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the DOL. The enactment of this bill will not impact the provision of legal services to DOL. DOL does not anticipate any legal advice or litigation related to its consulting role. Any requests are nominal and costs are not included in this request.

6. The AGO Labor and Industries Division (LNI) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Labor and Industries (L&I). The enactment of this bill will not impact the provision of legal services to L&I because it does not appear to create any rights, obligations, duties, or other legal consequences specific to the agency. New legal services are nominal and costs are not included in this request.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

| Account  | Account Title     | Type  | FY 2024 | FY 2025   | 2023-25   | 2025-27   | 2027-29   |
|----------|-------------------|-------|---------|-----------|-----------|-----------|-----------|
| 405-1    | Legal Services    | State | 41,000  | 2,283,000 | 2,324,000 | 4,566,000 | 4,566,000 |
|          | Revolving Account |       |         |           |           |           |           |
| Total \$ |                   |       | 41,000  | 2,283,000 | 2,324,000 | 4,566,000 | 4,566,000 |

### III. B - Expenditures by Object Or Purpose

|                            | FY 2024 | FY 2025   | 2023-25   | 2025-27   | 2027-29   |
|----------------------------|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years            | 0.3     | 15.6      | 7.9       | 15.6      | 15.6      |
| A-Salaries and Wages       | 28,000  | 1,509,000 | 1,537,000 | 3,018,000 | 3,018,000 |
| B-Employee Benefits        | 9,000   | 493,000   | 502,000   | 986,000   | 986,000   |
| E-Goods and Other Services | 4,000   | 266,000   | 270,000   | 532,000   | 532,000   |
| G-Travel                   |         | 15,000    | 15,000    | 30,000    | 30,000    |
| Total \$                   | 41,000  | 2,283,000 | 2,324,000 | 4,566,000 | 4,566,000 |

### III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

| Job Classification                 | Salary  | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|------------------------------------|---------|---------|---------|---------|---------|---------|
| Assistant Attorney General         | 118,700 | 0.1     | 8.9     | 4.5     | 8.9     | 8.9     |
| Assistant Attorney General-Seattle | 124,635 | 0.1     | 0.0     | 0.1     | 0.0     | 0.0     |
| Legal Assistant 3                  | 55,872  | 0.0     | 4.5     | 2.3     | 4.5     | 4.5     |
| Legal Assistant 3-Seattle          | 67,044  | 0.0     | 0.0     | 0.0     | 0.0     | 0.0     |
| Management Analyst 5               | 91,524  | 0.0     | 2.2     | 1.1     | 2.2     | 2.2     |
| Total FTEs                         |         | 0.3     | 15.6    | 8.0     | 15.6    | 15.6    |

III. D - Expenditures By Program (optional)

| Program  | FY 2024 | FY 2025   | 2023-25   | 2025-27   | 2027-29   |
|--|---------|-----------|-----------|-----------|-----------|
| Criminal Justice Division (CRJ)                    | 21,000  | 3,000     | 24,000    | 6,000     | 6,000     |
| Government Compliance & Enforcement Division (GCE) | 20,000  | 2,280,000 | 2,300,000 | 4,560,000 | 4,560,000 |
| Total \$   | 41,000  | 2,283,000 | 2,324,000 | 4,566,000 | 4,566,000 |

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

# Individual State Agency Fiscal Note

|                             |                                    |  |
|-----------------------------|------------------------------------|--|
| <b>Bill Number:</b> 1807 HB | <b>Title:</b> Speed safety cameras | <b>Agency:</b> 110-Office of Administrative Hearings |
|-----------------------------|------------------------------------|--|

## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

| ACCOUNT   | FY 2024 | FY 2025   | 2023-25   | 2025-27   | 2027-29   |
|---|---------|-----------|-----------|-----------|-----------|
| Administrative Hearings Revolving Account-State 484-1 |         | 2,487,000 | 2,487,000 | 4,974,000 | 4,974,000 |
| <b>Total \$</b>                                       |         | 2,487,000 | 2,487,000 | 4,974,000 | 4,974,000 |

### Estimated Operating Expenditures from:

|   | FY 2024 | FY 2025   | 2023-25   | 2025-27   | 2027-29   |
|---|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years                                       | 0.0     | 17.1      | 8.6       | 17.1      | 17.1      |
| <b>Account</b>  |         |           |           |           |           |
| Administrative Hearings Revolving Account-State 484-1 | 0       | 2,487,000 | 2,487,000 | 4,974,000 | 4,974,000 |
| <b>Total \$</b>                                       | 0       | 2,487,000 | 2,487,000 | 4,974,000 | 4,974,000 |

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

|                                       |                       |                  |
|---------------------------------------|-----------------------|------------------|
| Legislative Contact: Christine Thomas | Phone: 360-786-7142   | Date: 02/11/2023 |
| Agency Preparation: Pete Boeckel      | Phone: 360-407-2730   | Date: 02/23/2023 |
| Agency Approval: Deborah Feinstein    | Phone: 360-407-2717   | Date: 02/23/2023 |
| OFM Review: Cheri Keller              | Phone: (360) 584-2207 | Date: 02/23/2023 |

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 3 authorizes a law enforcement officer to issue a notice of traffic infraction based on the use of a Speed Safety Camera Systems in state highway work zones. The notice will be mailed to the registered owner or renter of the vehicle and referred to OAH for adjudication and issuance of a final order.

Work activities associated with the enactment of this bill will begin on July 1, 2024.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

As a central service agency, the Office of Administrative Hearings (OAH) bills referring agencies for its costs and collects the revenue into the Administrative Hearings Revolving Account. Cash receipts are assumed to equal costs. OAH will bill the Washington State Patrol for the costs related to this proposed legislation.

These cash receipts represent the OAH’s authority to bill and are not a direct appropriation to OAH. Appropriation authority is necessary in OAH’s budget.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The Washington State Patrol (WSP) estimates that the proposed legislation will result in 8,000 new appeals being referred to OAH per fiscal year beginning in FY 2025. On average, each appeal is expected to take approximately 1.5 hours of line Administrative Law Judge (ALJ) time including prehearing conferences, hearings, order writings, etc. WSP assumes that rulemaking will happen in FY 2024, but the cameras will not be deployed to work zones until FY 2025, which is when the cases would start being referred to the Office of Administrative Hearings (OAH).

OAH Agency Workforce Assumptions:

- (1) The Governors proposed COLA increases in FY2024 and FY2025, and Collective Bargaining Agreement increases are not included in agency cost projections. Additional funding is required if these proposals are enacted.
- (2) Ratio of 1.0 FTE line ALJ to 0.15 Senior ALJ (SALJ), to 0.6 Legal Assistant 2 (LA2) (Range 40 step L), to 0.25 administrative support Management Analyst 5 (MA5) (Range 64 Step L).
- (3) ALJ salary is based on the ALJ collective bargaining agreement and assumed to be at step L. (Line ALJ-range 70. Senior ALJ-range 74.)
- (4) Benefit rates were analyzed by job class and projected using the latest benefit information available.
- (5) Goods and services, travel and on-going capital outlays were projected based on historical data for each of the job classifications.

Total workload impact beginning in FY 2025: 8.57 ALJ at a cost of \$1,424,309; 1.29 SALJ at a cost of \$230,364; 5.14 LA2 at a cost of \$513,737; 2.4 MA5 at a cost of \$317,581. Total rounded cost: \$2,487,000.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

| Account  | Account Title                             | Type  | FY 2024 | FY 2025   | 2023-25   | 2025-27   | 2027-29   |
|----------|---|-------|---------|-----------|-----------|-----------|-----------|
| 484-1    | Administrative Hearings Revolving Account | State | 0       | 2,487,000 | 2,487,000 | 4,974,000 | 4,974,000 |
| Total \$ |   |       | 0       | 2,487,000 | 2,487,000 | 4,974,000 | 4,974,000 |

III. B - Expenditures by Object Or Purpose

|                                      | FY 2024 | FY 2025   | 2023-25   | 2025-27   | 2027-29   |
|--------------------------------------|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years                      |         | 17.1      | 8.6       | 17.1      | 17.1      |
| A-Salaries and Wages                 |         | 1,517,000 | 1,517,000 | 3,034,000 | 3,034,000 |
| B-Employee Benefits                  |         | 505,000   | 505,000   | 1,010,000 | 1,010,000 |
| C-Professional Service Contracts     |         |           |           |           |           |
| E-Goods and Other Services           |         | 429,000   | 429,000   | 858,000   | 858,000   |
| G-Travel                             |         | 15,000    | 15,000    | 30,000    | 30,000    |
| J-Capital Outlays                    |         | 21,000    | 21,000    | 42,000    | 42,000    |
| M-Inter Agency/Fund Transfers        |         |           |           |           |           |
| N-Grants, Benefits & Client Services |         |           |           |           |           |
| P-Debt Service                       |         |           |           |           |           |
| S-Interagency Reimbursements         |         |           |           |           |           |
| T-Intra-Agency Reimbursements        |         |           |           |           |           |
| 9-                                   |         |           |           |           |           |
| Total \$                             | 0       | 2,487,000 | 2,487,000 | 4,974,000 | 4,974,000 |

III. C - Operating FTE Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

| Job Classification              | Salary  | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|---------------------------------|---------|---------|---------|---------|---------|---------|
| Administrative Law Judge        | 106,152 |         | 8.6     | 4.3     | 8.6     | 8.6     |
| Legal Assistant 2               | 50,592  |         | 5.1     | 2.6     | 5.1     | 5.1     |
| Management Analyst 5            | 91,524  |         | 2.1     | 1.1     | 2.1     | 2.1     |
| Senior Administrative Law Judge | 117,168 |         | 1.3     | 0.7     | 1.3     | 1.3     |
| Total FTEs                      |         |         | 17.1    | 8.6     | 17.1    | 17.1    |

III. D - Expenditures By Program (optional)

| Program                      | FY 2024 | FY 2025   | 2023-25   | 2025-27   | 2027-29   |
|------------------------------|---------|-----------|-----------|-----------|-----------|
| Regulatory & Education (REG) |         | 2,487,000 | 2,487,000 | 4,974,000 | 4,974,000 |
| Total \$                     |         | 2,487,000 | 2,487,000 | 4,974,000 | 4,974,000 |

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

|                             |                                    |  |
|-----------------------------|------------------------------------|--|
| <b>Bill Number:</b> 1807 HB | <b>Title:</b> Speed safety cameras | <b>Agency:</b> 225-Washington State Patrol |
|-----------------------------|------------------------------------|--|

## Part I: Estimates

☐

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

|  | FY 2024 | FY 2025   | 2023-25   | 2025-27    | 2027-29    |
|--|---------|-----------|-----------|------------|------------|
| FTE Staff Years                        | 0.0     | 2.0       | 1.0       | 2.0        | 2.0        |
| <b>Account</b>                         |         |           |           |            |            |
| Highway Safety Account-State 106<br>-1 | 28,289  | 6,175,921 | 6,204,210 | 12,308,392 | 12,308,392 |
| <b>Total \$</b>                        | 28,289  | 6,175,921 | 6,204,210 | 12,308,392 | 12,308,392 |

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

☒

If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.

☐

If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).

☐

Capital budget impact, complete Part IV.

☒

Requires new rule making, complete Part V.

|                                       |                       |                  |
|---------------------------------------|-----------------------|------------------|
| Legislative Contact: Christine Thomas | Phone: 360-786-7142   | Date: 02/11/2023 |
| Agency Preparation: Thomas Bohon      | Phone: (360) 596-4044 | Date: 02/21/2023 |
| Agency Approval: Shawn Eckhart        | Phone: 360-596-4083   | Date: 02/21/2023 |
| OFM Review: Tiffany West              | Phone: (360) 890-2653 | Date: 02/22/2023 |

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

There is an indeterminate, but significant fiscal impact to the Washington State Patrol (WSP).

Section 1 of the proposed legislation authorizes a law enforcement officer to issue a notice of traffic infraction when the infraction is detected through the use of a speed safety camera system.

Subsection 3(3) mandates the collaboration of WSP, Washington State Department of Transportation (WSDOT), and other agencies in adopting regulations for the use of speed safety camera systems in highway work zones. It also states the WSP will be the primary law enforcement agency to verify and issue these infractions.

Subsection 3(4) lays out the process to provide notice of infraction to individuals.

Subsection 3(13) requires WSP, WSDOT, and Washington Traffic Safety Commission (WTSC) to report on the efficacy of the speed camera safety systems biennially.

Subsection 3(15) and section 4 state an expiration date of June 30, 2030.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

NONE

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Subsection 3(3) mandates our collaboration and involvement in adopting regulations regarding speed safety camera systems. The rulemaking process would be handled by a captain in our Field Operations Bureau Headquarters, and a captain and legislative analyst in our Government and Media Relations. We assume a total of 18 meetings will happen over the course of FY24. Assuming these meetings last 2 hours each, we estimate rulemaking costs at \$12,289. The Attorney General's Office (AGO) will also bill for time spent giving legal advice for these meetings. AGO estimates billing for \$16,000 in FY2

Subsection 3(3) also assigns us as the primary law enforcement agency for verifying and issuing infractions captured by highway work zone safety cameras, in accordance with subsection 3(4). Per subsection 3(4), the infractions are to be mailed to the registered owner of the identified vehicle within 14 days of the violation, who then may respond to the infraction via mail. The infraction is to include a certificate of the infraction based on the camera evidence. WSDOT is estimating 257,125 infractions per year starting in fiscal year 2025. There will be an indeterminate workload impact to complete each infraction in accordance with subsection 3(4). However, for the purposes of this fiscal note, we estimate it will take 2 minutes on average to complete one infraction based on Pennsylvania's experience. Actual costs may be higher when we take into account the training and installing of software necessary to complete this work. A 2 minute average per infraction results in a total of 8,571 hours of work. We do not have the capacity to complete this work on regular time and will have to utilize overtime for this additional responsibility. The total estimated overtime costs are \$1,123,594.

We assume the initial data loading process, matching and verifying of plates through the Department of Licensing, and physical mailing of notifications will be handled by a vendor contracted by WSDOT. However, since we are still issuing the

infraction, our records management and public disclosure obligations will increase, requiring a Forms and Records Analyst 3. Based on Office of Financial Management published salary schedules and applicable federal and state benefits, we estimate the costs for this FTE at \$134,177 for the the first year and \$123,315 for subsequent years.

We also need someone to manage the program, shepherding the work throughout the agency, making sure we minimize backlogs and that potential infractions not get lost in the process. This is a Program Specialist 3. This position will be the primary contact for the WSP Speed Camera Program; will coordinate and facilitate the vendor-led training and train-the-trainer for initial roll-out and ongoing training; will partner with our Training Division to record and maintain the training records associated with 400+ personnel; will coordinate with the vendor to address questions, concerns, or changes within the program; will fulfill reporting requirements for the WSP; will coordinate with the vendor and with our Information Technology Division to establish protocols and procedures for downloading and utilizing software; will coordinate with the vendor and our personnel for overtime shifts in conjunction with vendor downloads; will partner with districts and divisions to track and assign overtime shifts; will work with our Budget & Fiscal Services to establish overtime account coding, allocations, and tracking mechanisms; and will be our liaison with WSDOT and the vendor for problem-solving and communications. Based on Office of Financial Management published salary schedules and applicable federal and state benefits, we estimate the costs for this FTE at \$149,149 for the the first year and \$138,287 for subsequent years.

Subsection 3(4) also requires the evidence of infractions captured by the cameras to be readily available for inspection and admission into evidence, however subsection 3(8) states that the data generated by these cameras are exclusive to WSDOT. It is our assumption that though we would establish a data-sharing agreement with WSDOT, they would hold the responsibility of handling inspections, disclosures, and evidentiary processing of said data. Should this assumption be incorrect, we will require additional funding for storage, redaction technology, and additional FTEs for the management of the data.

Subsection 3(5) refers infractions to the Office of Administrative Hearings (OAH) for adjudication by an administrative law judge. OAH would bill us for any case referred to them. With an estimated challenge rate of 20% on second offenses, we are estimating 8,000 referrals per year. These cases would result in an estimated total of \$2,486,000 annually. Since our officers are issuing the infractions, there will be increased AGO costs to prepare officers for the hearings. Using the same estimated 8,000 cases referred per year, the AGO estimates they will bill WSP for 16,000 hours of work annually, costing \$2,283,000 each year.

Section 3 does not include a speed violation exemption for vehicles owned by law enforcement agencies or first responders. This could result in the WSP paying fines from these cameras, or even increased AGO costs in defending or challenging these fines in OAH proceedings. This is an indeterminate cost.

We base our estimate for agency indirect costs on the approved federal indirect cost rate of 31.88 percent. We apply this indirect cost rate percentage to all categories of expenditure with only two exceptions: capital equipment and expenditures after \$25,000 of each projected contract. Indirect costs include, but are not limited to, computer and telecommunications support, payroll processing, vendor payments, general accounting, procurement administration, inventory control, and human resource management.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

| Account  | Account Title          | Type  | FY 2024 | FY 2025   | 2023-25   | 2025-27    | 2027-29    |
|----------|------------------------|-------|---------|-----------|-----------|------------|------------|
| 106-1    | Highway Safety Account | State | 28,289  | 6,175,921 | 6,204,210 | 12,308,392 | 12,308,392 |
| Total \$ |                        |       | 28,289  | 6,175,921 | 6,204,210 | 12,308,392 | 12,308,392 |

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

### III. B - Expenditures by Object Or Purpose

|                                      | FY 2024       | FY 2025          | 2023-25          | 2025-27           | 2027-29           |
|--------------------------------------|---------------|------------------|------------------|-------------------|-------------------|
| FTE Staff Years                      |               | 2.0              | 1.0              | 2.0               | 2.0               |
| A-Salaries and Wages                 | 7,116         | 786,022          | 793,138          | 1,572,044         | 1,572,044         |
| B-Employee Benefits                  | 2,202         | 247,528          | 249,730          | 495,056           | 495,056           |
| C-Professional Service Contracts     |               |                  |                  |                   |                   |
| E-Goods and Other Services           | 16,000        | 4,782,304        | 4,798,304        | 9,560,096         | 9,560,096         |
| G-Travel                             |               | 2,400            | 2,400            | 4,800             | 4,800             |
| J-Capital Outlays                    |               | 22,400           | 22,400           | 7,300             | 7,300             |
| M-Inter Agency/Fund Transfers        |               |                  |                  |                   |                   |
| N-Grants, Benefits & Client Services |               |                  |                  |                   |                   |
| P-Debt Service                       |               |                  |                  |                   |                   |
| S-Interagency Reimbursements         |               |                  |                  |                   |                   |
| T-Intra-Agency Reimbursements        |               |                  |                  |                   |                   |
| 9-Indirect Costs                     | 2,971         | 335,267          | 338,238          | 669,096           | 669,096           |
| <b>Total \$</b>                      | <b>28,289</b> | <b>6,175,921</b> | <b>6,204,210</b> | <b>12,308,392</b> | <b>12,308,392</b> |

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

### III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

| Job Classification          | Salary | FY 2024 | FY 2025    | 2023-25    | 2025-27    | 2027-29    |
|-----------------------------|--------|---------|------------|------------|------------|------------|
| Forms and Records Analyst 3 | 60,156 |         | 1.0        | 0.5        | 1.0        | 1.0        |
| Program Specialist 3        | 69,756 |         | 1.0        | 0.5        | 1.0        | 1.0        |
| <b>Total FTEs</b>           |        |         | <b>2.0</b> | <b>1.0</b> | <b>2.0</b> | <b>2.0</b> |

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

#### IV. A - Capital Budget Expenditures

NONE

#### IV. B - Expenditures by Object Or Purpose

NONE

#### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

#### IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

## Part V: New Rule Making Required

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

Subsection 3(3) mandates the collaboration of WSP, WSDOT, and other agencies in adopting regulations for the use of speed safety camera systems in highway work zones.

# Individual State Agency Fiscal Note

|                             |                                    |  |
|-----------------------------|------------------------------------|--|
| <b>Bill Number:</b> 1807 HB | <b>Title:</b> Speed safety cameras | <b>Agency:</b> 228-Traffic Safety Commission |
|-----------------------------|------------------------------------|--|

## Part I: Estimates

☒ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

NONE

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

|  |                              |                         |
|--|------------------------------|-------------------------|
| <b>Legislative Contact:</b> Christine Thomas | <b>Phone:</b> 360-786-7142   | <b>Date:</b> 02/11/2023 |
| <b>Agency Preparation:</b> Mark McKechnie    | <b>Phone:</b> 3607259889     | <b>Date:</b> 02/14/2023 |
| <b>Agency Approval:</b> Mark McKechnie       | <b>Phone:</b> 3607259889     | <b>Date:</b> 02/14/2023 |
| <b>OFM Review:</b> Tiffany West              | <b>Phone:</b> (360) 890-2653 | <b>Date:</b> 02/14/2023 |

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

WTSC can participate in WSP rule making and biennial reporting with no additional fiscal cost.

AN ACT Relating to speed safety camera systems on state highways; amending RCW 46.63.030 and 46.63.075; adding a new section to chapter 46.63 RCW; and providing expiration dates.

Sec 1.: Amends RCW 46.63.030. Adds speed camera detection, under Sec. 3, to the authority of a law enforcement to issue a traffic citation.

Sec. 2: Amends RCW 46.63.075. Detection by speed camera defined in Sec. 3, along with information about the registered owner in the vehicle, can be used as prima facie evidence that infraction occurred.

Sec. 3: New section. WSP is directed to establish rules regarding the use of speed safety cameras in highway work zones in consultation with WSDOT, WTSC, and other organizations. Outlines notice of citation requirements including information about appealing citation, limits on photos which may not reveal the fact of the vehicle occupants. Specifies that registered owner is responsible for citation, with some exceptions. Photos are not open to the public and may not be used in court for other purposes that are not related to the speed violation. Locations where speed cameras are being used must be clearly marked. Infractions under this section are not part of the owner's driving record. Provisions for rental car businesses.

Subsection 12: Revenue generated from fines will fund operating and administrative costs. Excess revenue will be distributed for traffic safety education or DUI emphasis patrols.

Definitions of speed camera safety system and state highway work zone.

Subsection 13: WSP in collaboration with WSDOT and WTSC will report to the legislature biennially in 2025, 2027, and 2029 on data and efficacy of speed camera safety system use in work zones. The final report will include recommendations on speed camera use beyond June 30, 2023.

Section 4: Sections 1 and 2 expire June 30, 2030.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

No specific impact on WTSC as bill is written.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

No impact

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*  
NONE

**III. D - Expenditures By Program (optional)**  
NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**  
NONE

**IV. B - Expenditures by Object Or Purpose**  
NONE

**IV. C - Capital Budget Breakout**  
*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*  
NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*  
  
NONE

No impact

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

|                             |                                    |  |
|-----------------------------|------------------------------------|--|
| <b>Bill Number:</b> 1807 HB | <b>Title:</b> Speed safety cameras | <b>Agency:</b> 240-Department of Licensing |
|-----------------------------|------------------------------------|--|

## Part I: Estimates

☒ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

NONE

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☒ Requires new rule making, complete Part V.

|  |                              |                         |
|--|------------------------------|-------------------------|
| <b>Legislative Contact:</b> Christine Thomas | <b>Phone:</b> 360-786-7142   | <b>Date:</b> 02/11/2023 |
| <b>Agency Preparation:</b> Ellie Gochenouer  | <b>Phone:</b> 360-901-0114   | <b>Date:</b> 02/14/2023 |
| <b>Agency Approval:</b> Gerrit Eades         | <b>Phone:</b> (360)902-3863  | <b>Date:</b> 02/14/2023 |
| <b>OFM Review:</b> Kyle Siefering            | <b>Phone:</b> (360) 995-3825 | <b>Date:</b> 02/14/2023 |

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Please see attached fiscal note.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

See attached fiscal note

# Individual State Agency Fiscal Note

Agency 240 – Department of Licensing

Bill Number: HB 1807

Bill Title: Speed Safety Cameras on State Highways

## Part 1: Estimates

☒ **No Fiscal Impact**

### Estimated Cash Receipts:

NONE

### Estimated Expenditures:

NONE

*The revenue and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions.

- ☐ If the fiscal impact is **less than \$50,000** per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ If fiscal impact is **greater than \$50,000** per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ Capital budget impact, complete Part IV.
- ☒ Requires new rule making, complete Part V.

|                                       |                       |                  |
|---------------------------------------|-----------------------|------------------|
| Legislative Contact: Christine Thomas | Phone: (360) 786-7142 | Date: 02/13/2023 |
| Agency Preparation: Ellie Gochenouer  | Phone: (360) 634-5082 | Date: 02/14/2023 |
| Agency Approval: Gerrit Eades         | Phone: (360) 902-3931 | Date:            |

|           |         |
|-----------|---------|
| Request # | 1       |
| Bill #    | 1807 HB |

## **Part 2 – Explanation**

This proposal relates to the inclusion and usage of speed safety camera systems in state highway work zones as a method for issuing traffic infraction notices.

### **2.A – Brief Description Of What The Measure Does That Has Fiscal Impact**

**Section 1:** Amends RCW 46.63.030 to allow law enforcement to issue notice of infraction when infraction is detected using a speed safety camera system.

**Section 2:** Amends Chapter 46.63.075 RCW to include a speed safety camera system under section 3 of this act when describing the types of automated devices which must provide proof that the vehicle detected matches the vehicle given a traffic infraction notice.

**Section 3:** Creates a new section in Chapter 46.63 RCW which applies to the usage of speed safety camera systems in state highway work zones. This section provides definitions relating to speed safety camera systems, the authority granted to law enforcement, and establishes the procedures around the regulatory and administrative adjudication processes, timely mailing of statements, and associated fees.

- This section also dictates that Department of Transportation shall consult with WSP, DOL, Washington Traffic Safety Commission (WTSC), Office of Administrative Hearings, and other organizations committed to protecting civil rights to develop regulations for the use of speed safety camera systems in highway work zones.
- Adds that any revenue generated that is in excess of operating/administrative costs shall be distributed for the purposes of traffic safety (i.e. driver training education and local DUI emphasis patrols)
- Requires WSP (in consult with Dep of Transportation and WTSC) to submit a report to the legislature beginning July 1, 2025 (and biennially thereafter up through July 1, 2029) on the efficacy of speed safety camera use in state highway work zones. The final report (July 1, 2029) shall include a recommendation on whether to continue the usage of speed safety cameras in highway work zones beyond June 30, 2030.
- Sets an expiration date for Section 3 as June 30, 2030.

This bill takes effect 90 days after the adjournment of session.

### **2.B - Cash receipts Impact**

No cash receipts are expected from this proposed change.

### **2.C – Expenditures**

No expenditures are expected from this proposed change. Traffic camera infractions under the provisions of this bill are not recorded on drive records, and penalties associated with these infractions are not collected by DOL. There are no other identified operating or information technology systems impacts associated with this bill, therefore the bill has no fiscal impact on the department.

## **Part 3 – Expenditure Detail**

None.

## **Part 4 – Capital Budget Impact**

None.

**Part 5 – New Rule Making Required**

The Department of Transportation will consult with Department of Licensing and other agencies on the adoption of rules related to the use of speed safety camera systems, however no additional expenditures are associated with this rulemaking process.

# Individual State Agency Fiscal Note

|                             |                                    |   |
|-----------------------------|------------------------------------|---|
| <b>Bill Number:</b> 1807 HB | <b>Title:</b> Speed safety cameras | <b>Agency:</b> 405-Department of Transportation |
|-----------------------------|------------------------------------|---|

## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

|  |
|--|
| Non-zero but indeterminate cost and/or savings. Please see discussion. |
|--|

### Estimated Operating Expenditures from:

|  | FY 2024 | FY 2025   | 2023-25   | 2025-27   | 2027-29   |
|--|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years                        | 1.0     | 1.0       | 1.0       | 1.0       | 1.0       |
| <b>Account</b>                         |         |           |           |           |           |
| Highway Safety Account-State 106<br>-1 | 213,000 | 3,316,000 | 3,529,000 | 6,632,000 | 6,637,000 |
| <b>Total \$</b>                        | 213,000 | 3,316,000 | 3,529,000 | 6,632,000 | 6,637,000 |

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

|                                       |                       |                  |
|---------------------------------------|-----------------------|------------------|
| Legislative Contact: Christine Thomas | Phone: 360-786-7142   | Date: 02/11/2023 |
| Agency Preparation: Tony Leingang     | Phone: 360-709-8002   | Date: 02/17/2023 |
| Agency Approval: Dongho Chang         | Phone: 206-440-4804   | Date: 02/17/2023 |
| OFM Review: Maria Thomas              | Phone: (360) 229-4717 | Date: 02/20/2023 |

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

See attached WSDOT fiscal note.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

| Account  | Account Title          | Type  | FY 2024 | FY 2025   | 2023-25   | 2025-27   | 2027-29   |
|----------|------------------------|-------|---------|-----------|-----------|-----------|-----------|
| 106-1    | Highway Safety Account | State | 213,000 | 3,316,000 | 3,529,000 | 6,632,000 | 6,637,000 |
| Total \$ |                        |       | 213,000 | 3,316,000 | 3,529,000 | 6,632,000 | 6,637,000 |

III. B - Expenditures by Object Or Purpose

|                                      | FY 2024 | FY 2025   | 2023-25   | 2025-27   | 2027-29   |
|--------------------------------------|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years                      | 1.0     | 1.0       | 1.0       | 1.0       | 1.0       |
| A-Salaries and Wages                 | 95,000  | 95,000    | 190,000   | 190,000   | 190,000   |
| B-Employee Benefits                  | 37,000  | 37,000    | 74,000    | 74,000    | 74,000    |
| C-Professional Service Contracts     | 30,000  | 3,178,000 | 3,208,000 | 6,356,000 | 6,356,000 |
| E-Goods and Other Services           | 41,000  | 1,000     | 42,000    | 2,000     | 2,000     |
| G-Travel                             | 5,000   | 5,000     | 10,000    | 10,000    | 10,000    |
| J-Capital Outlays                    | 5,000   |           | 5,000     |           | 5,000     |
| M-Inter Agency/Fund Transfers        |         |           |           |           |           |
| N-Grants, Benefits & Client Services |         |           |           |           |           |
| P-Debt Service                       |         |           |           |           |           |
| S-Interagency Reimbursements         |         |           |           |           |           |
| T-Intra-Agency Reimbursements        |         |           |           |           |           |
| 9-                                   |         |           |           |           |           |
| Total \$                             | 213,000 | 3,316,000 | 3,529,000 | 6,632,000 | 6,637,000 |

III. C - Operating FTE Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

| Job Classification | Salary | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--------------------|--------|---------|---------|---------|---------|---------|
| WMS 1              | 95,000 | 1.0     | 1.0     | 1.0     | 1.0     | 1.0     |
| Total FTEs         |        | 1.0     | 1.0     | 1.0     | 1.0     | 1.0     |

III. D - Expenditures By Program (optional)

| Program                 | FY 2024 | FY 2025   | 2023-25   | 2025-27   | 2027-29   |
|-------------------------|---------|-----------|-----------|-----------|-----------|
| Program Q-Operating (Q) | 213,000 | 3,316,000 | 3,529,000 | 6,632,000 | 6,637,000 |
| Program U-Operating (U) |         |           |           |           |           |
| Total \$                | 213,000 | 3,316,000 | 3,529,000 | 6,632,000 | 6,637,000 |

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

### IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

## Part V: New Rule Making Required

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

|                             |  |   |
|-----------------------------|--|---|
| <b>Bill Number:</b> HB 1807 | <b>Title:</b> Concerning Speed Safety Camera Systems on State Highways | <b>Agency:</b> 405-Department of Transportation |
|-----------------------------|--|---|

## Part I: Estimates

☐ No Fiscal Impact (Explain in section II. A)

*If a fiscal note is assigned to our agency, someone believes there might be, and we need to address that, showing why there is no impact to the department.*

☒ Indeterminate Cash Receipts Impact (Explain in section II. B)

☐ Indeterminate Expenditure Impact (Explain in section II. C)

☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, **complete entire fiscal note form Parts I-V**

☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, **complete entire fiscal note form Parts I-V**

☐ Capital budget impact, **complete Part IV**

☐ Requires new rule making, **complete Part V**

☐ Revised

*The cash receipts and expenditure estimates on this fiscal template represent the fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

### Dollars in Thousands

|                                    |             | 2023-25 Biennium |                | 2025-27 Biennium |                | 2027-29 Biennium |                |
|------------------------------------|-------------|------------------|----------------|------------------|----------------|------------------|----------------|
| Expenditures                       |             | FY 2024          | FY 2025        | FY 2026          | FY 2027        | FY 2028          | FY 2029        |
| 106-1 HIGHWAY SAFETY ACCOUNT       |             | \$213            | \$3,316        | \$3,316          | \$3,316        | \$3,321          | \$3,316        |
| <b>Total Expenditures</b>          |             | <b>\$213</b>     | <b>\$3,316</b> | <b>\$3,316</b>   | <b>\$3,316</b> | <b>\$3,321</b>   | <b>\$3,316</b> |
| <b>Biennial Totals</b>             |             | <b>\$3,529</b>   |                | <b>\$6,632</b>   |                | <b>\$6,637</b>   |                |
| FTEs                               |             | FY 2024          | FY 2025        | FY 2026          | FY 2027        | FY 2028          | FY 2029        |
| WMS Band 1                         | Salary \$95 | 1.0              | 1.0            | 1.0              | 1.0            | 1.0              | 1.0            |
| <b>Annual Average</b>              |             | <b>1.0</b>       |                | <b>1.0</b>       |                | <b>1.0</b>       |                |
| Objects of Expenditure             |             | FY 2024          | FY 2025        | FY 2026          | FY 2027        | FY 2028          | FY 2029        |
| A - SALARIES AND WAGES             |             | \$95             | \$95           | \$95             | \$95           | \$95             | \$95           |
| B - EMPLOYEE BENEFITS              |             | \$37             | \$37           | \$37             | \$37           | \$37             | \$37           |
| C - PROFESSIONAL SERVICE CONTRACTS |             | \$30             | \$3,178        | \$3,178          | \$3,178        | \$3,178          | \$3,178        |
| E - GOODS AND SERVICES             |             | \$41             | \$1            | \$1              | \$1            | \$1              | \$1            |
| G - TRAVEL                         |             | \$5              | \$5            | \$5              | \$5            | \$5              | \$5            |
| J - CAPITAL OUTLAYS                |             | \$5              |                |                  |                | \$5              |                |
| Expenditures by Program            |             | FY 2024          | FY 2025        | FY 2026          | FY 2027        | FY 2028          | FY 2029        |
| PROGRAM Q-OP                       |             | \$213            | \$3,316        | \$3,316          | \$3,316        | \$3,321          | \$3,316        |
| PROGRAM U                          |             | \$0              | \$0            | \$0              | \$0            | \$0              | \$0            |
| Revenue                            |             | FY 2024          | FY 2025        | FY 2026          | FY 2027        | FY 2028          | FY 2029        |
| 106-1 HIGHWAY SAFETY ACCOUNT       |             | \$213.0          | \$3,316.0      | \$3,316.0        | \$3,316.0      | \$3,321.0        | \$3,316.0      |
| <b>Total Revenue</b>               |             | <b>\$213</b>     | <b>\$3,316</b> | <b>\$3,316</b>   | <b>\$3,316</b> | <b>\$3,321</b>   | <b>\$3,316</b> |
| <b>Biennial Totals</b>             |             | <b>\$3,529</b>   |                | <b>\$6,632</b>   |                | <b>\$6,637</b>   |                |

### Agency Assumptions

|     |
|-----|
| N/A |
|-----|

### Agency Contacts:

|                              |                     |                 |
|------------------------------|---------------------|-----------------|
| Preparer: Tony Leingang      | Phone: 360-239-0843 | Date: 2/15/2023 |
| Approval: Dongho Chang       | Phone: 360-705-7280 | Date: 2/16/2023 |
| Budget Manager: Chad Johnson | Phone: 360-259-3886 | Date: 2/15/2023 |

# Individual State Agency Fiscal Note

## Part II: Narrative Explanation

### II. A - Brief description of what the measure does that has fiscal impact

*Briefly describe by section number (sections that will change WSDOT costs or revenue), the significant provisions of the bill, and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency.*

The bill creates infractions for speeding in Washington State Department of Transportation (WSDOT) work zones, as detected using speed safety camera systems. Signs are required to indicate such systems are in use. This bill is intended to improve work zone safety by changing driver behavior.

Section 1 adds language under subsection (f) to current law about when a law enforcement officer is allowed to issue a notice of traffic infraction. It includes when the infraction is detected using a speed safety camera system, as allowed under new section (3) of this section.

Section 2 adds language to current law, such that proof that the person named in the infraction was the registered owner of the vehicle at the time of the infraction constitutes prima facie evidence that the person was in control of the vehicle at the time of the infraction (and therefore responsible). Provisions are made to contest this under oath.

Section 3 creates a new section in law to apply the use of speed safety camera systems in state highway work zones.

Section 3 (3) directs the Washington State Patrol (WSP) to work with WSDOT, Department of Licensing, Office of Administrative Hearings (OAH), Washington Traffic Safety Commission, and other organizations committed to protecting civil rights or other public or private entities, shall adopt regulations for speed safety camera systems. WSP is the primary law enforcement agency to verify and issue the notice of infraction.

Section 3 (4) a notice of infraction will be mailed when a traffic infraction occurs in a state highway work zone when a vehicle's speed exceeds the work zone speed limit. An individual can present evidence to contest the infraction to the department and the department may dismiss or reduce the monetary penalty.

Section 3 (5)(a) appeals of infractions will be managed by OAH.

Section 3 (5)(b) During the adjudication process the registered owner must have an opportunity to contest or mitigate the infraction. An administrative law judge may reduce or dismiss the infraction.

Section 3 (6) - when safety speed camera systems are used, they must only show the license plate and vehicle and not include the driver's face or faces of passengers.

Section 3 (7) - the registered owner or rental car company owner is responsible for the traffic infraction unless they overcome the presumption of infraction.

Section 3 (8) - images and identifying information captured by the speed safety camera systems are for exclusive use of the department in discharging its duties under this section and may only be used if it relates to a violation under this section. They are not otherwise able to use in court in a pending action or proceeding, nor are they open to the public.

Section 3 (9) requires that signage be clearly places signifying to drivers they are entering a highway work zone with a reduced posted speed limit, and stating that this is a monitored work zone, prior to activation of the camera.

Section 3 (10) infractions under this section are not applied to an owner's driving record.

Section 3 (11) Rental car companies are responsible for the infraction and must pay it, unless the company can return by mail:

(a)(i) a statement under oath stating who was driving the vehicle at the time of the infraction

(ii) a statement under oath stating the company cannot verify who was driving because the vehicle was stolen.

(11)(a)(ii) this must be accompanied by a police report.

# Individual State Agency Fiscal Note

(iii) if an operator cannot be identified, pay the infraction.

(b) timely mailing of a statement to the department relieves liability for a rental car business

Section 3 (12) Revenue is deposited into the Highway Safety Account and used first exclusively for operating and administrative costs under this section. Any revenue generated that exceeds the operation and administration costs under this section must be distributed for the purpose of traffic safety, including but not limited to driver training education and local driving under the influence emphasis patrols. Accessing the excess revenue for traffic safety education purposes will be part of the rule making process.

Section 3(13) Requires WSDOT in collaboration with WSP and DOL to report to the transportation committees of the legislature by July 1, 2025, and biennially thereafter on the data and efficacy of the speed safety camera systems in work zones. The final report will be due on July 1, 2029, and must include a recommendation on whether to continue using speed safety camera systems in work zones beyond June 30, 2030.

Section 3 (14) provides definitions of speed safety camera system and state highway work zone.

Section 3(15) sets section 3 to expire on June 30, 2030.

Section 4 sets sections 1 and 2 to expire on June 30, 2030.

The effective date would depend on when the bill, if passed, would be signed (none is provided in the bill). WSDOT assumes work zone deployment July of 2024.

## II. B – Cash Receipts Impact

The proposed legislation creates a traffic infraction, which will generate some traffic infraction cash receipts. The bill specifies that the funding will be deposited into fund 106 Highway Safety Account. Anticipated start date for receipt of revenue is July 1, 2024.

The department has developed a draft tiered infraction schedule, based off the infractions issued for high occupancy vehicle lane violations.

1. First time offense is a warning
2. Second offense and subsequent infractions \$248

The fiscal impact of the proposed legislation is indeterminate because there is not relevant data available to forecast how many people would continue to speed through work zones and incur a citation. Pennsylvania has a similar program, based on their experience, the department estimates the agency could collect up to \$10 million per year.

Pennsylvania experienced a rate of 15.3% for second offenses that were issued citations in 2021. Based on adjusting for population in 2022:

Washington (7.8 million) / Pennsylvania (12.9 million) = 60.5%

Citations in Pennsylvania = 425,000 x .605 = 257,125 estimated for Washington

15.3% second offenses (issued citations in Pennsylvania in 2021) = 257,125 x .153 = 39,340 citations

39,340 x \$248 = \$9,756,320

# Individual State Agency Fiscal Note

## II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

### Minimum Implementation and Operations Costs

- Ongoing 1.0 FTE at a WMS band 1 level, (Object A) annual salary \$95,000 – (Object B) benefits \$37,050
  - Receiving outreach from the community
  - Draft program process
  - Liaison to WSP and other entities (state, private, local, tribal) as required
  - Administer the vendor contract and oversee the vendor follows the department's established process
  - Distribute information regarding the program
  - Reporting to Legislature
- Support costs for the 1.0 FTE
  - (Object E) Goods and services \$1,000 per fiscal year ongoing
  - (Object G) Travel \$5,000 per fiscal year ongoing – to perform regular outreach and community engagement throughout the life of the program (In conjunction with the vendor performing equity analysis and outreach)
  - (Object J) Equipment \$5,000 – one-time cost for initial equipment purchases with expected replacement of equipment 4 years out.

### Equity Outreach

The department will need to include feedback received from equity outreach. It is likely that a cost will be incurred to hire expert consultants on equity considerations. The department has developed an equity framework that can be frequently engaged to ensure this program continues to evolve and provides access to justice.

Equity outreach will be conducted in three phases:

#### **Phase 1:** Initial outreach prior to authorization and funding

The department will engage larger equity-focused organizations in Washington state. These organizations will provide initial feedback on the program. In addition, these organizations will help identify marginalized communities and populations around the state that will be engaged during phase 2. This work will be completed as part of an on-call contract with the WSDOT Communications Office this cost is estimated at \$10,000 in fiscal year 2023.

#### **Phase 2:** Outreach prior to regional deployment

Work is expected to start July 2023. This outreach work will engage marginalized communities and populations prior to deployment of speed safety cameras in work zones in their area of the state. The department estimates the cost of this effort at (Object C) \$30,000 in fiscal year 2024.

#### **Phase 3:** Ongoing outreach after statewide deployment

The department will continue to engage marginalized communities and populations after deployment of work zone speed safety cameras to gather lessons learned and ensure the program provides access to justice. The department estimates the ongoing cost of this effort at a (Object C) \$30,000 annual cost.

### Rule making

Transportation Operations staff would collaborate with stakeholders to draft rules and provide those for public comment. A hearing would need to be held to receive community support and receive input on the draft rules. If supported, the draft

# Individual State Agency Fiscal Note

rules would be implemented. This would be work performed by the WMS1 position requested, with some consultants work possible.

Estimate three-month process with six meetings per month with agency stakeholders = 18 meetings

Estimated cost with two attendees from five agencies attending all meetings necessary for rule making @ (Object E) \$40,000

## Request for Proposal (RFP) Development

Section 3 comes with initial need for developing an RFP to hire a vendor. This would be accomplished within existing resources.

## Contracting Costs

Section 3 brings initial internal administration costs by WSDOT to develop the contract once a vendor is selected through the RFP process. This would be administered within existing staff by WSDOT contracts office.

## Vendor Costs

Section 3 – the department anticipates utilizing a vendor to provide all the equipment and signing to do the Speed Safety Zone monitoring, do the initial review of traffic infractions, transmit those infractions to WSP for certification, distribute the traffic infractions through mail including postage, and collect payment of traffic infractions. This is consistent with the information gathered through surveying similar programs in Pennsylvania and Maryland.

For illustrative purposes, according to Pennsylvania's [2022 annual report](#), they issued over 400,000 traffic infractions in fiscal year 2021, this resulted in vendor costs of approximately \$5.2 million. Pennsylvania established 3,302 work zone monitoring areas. Until the RFP process is complete, WSDOT cannot confirm the initial cost of a vendor contract, but more research could provide a range. For estimating purposes, adjusting costs by population - (60.5% x 3302 setups = 2000 work zone monitoring areas):

It is assumed that speed safety camera systems will be deployed in work zones starting July 1, 2024

Cost per shift: \$1574 x 2000 setups = (Object C) \$3,148,000

## Washington State Patrol - Infraction Certification Costs

The fiscal impact on WSP will be reflected in WSP's fiscal note.

## Office of Administrative Hearings – Adjudication

The fiscal impact of hearings is reflected in WSP's fiscal note.

## Part III: Expenditure Detail

### III. A - Expenditures by Object or Purpose

See the above table and attached worksheet.

## Part IV: Capital Budget Impact

N/A

## Part V: New Rule Making Required

## Individual State Agency Fiscal Note

*Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.*

Section 3 would require rulemaking in a number of areas, including around adjudication, when mitigating circumstances are allowed, and other issues.

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

|                             |                                    |
|-----------------------------|------------------------------------|
| <b>Bill Number:</b> 1807 HB | <b>Title:</b> Speed safety cameras |
|-----------------------------|------------------------------------|

**Part I: Jurisdiction**—Location, type or status of political subdivision defines range of fiscal impacts.

## Legislation Impacts:

- ☐ Cities:
- ☐ Counties:
- ☐ Special Districts:
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

## Part II: Estimates

- ☒ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☐ Legislation provides local option:
- ☐ Key variables cannot be estimated with certainty at this time:

### Estimated revenue impacts to:

None

### Estimated expenditure impacts to:

None

## Part III: Preparation and Approval

|  |                       |                  |
|--|-----------------------|------------------|
| Fiscal Note Analyst: James Vogl          | Phone: 360-480-9429   | Date: 02/20/2023 |
| Leg. Committee Contact: Christine Thomas | Phone: 360-786-7142   | Date: 02/11/2023 |
| Agency Approval: Alice Zillah            | Phone: 360-725-5035   | Date: 02/20/2023 |
| OFM Review: Tiffany West                 | Phone: (360) 890-2653 | Date: 02/20/2023 |

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

*Description of the bill with an emphasis on how it impacts local government.*

The proposed legislation would allow the use of speed safety camera systems in state highway work zones.

Section 1 would amend RCW 46.63.030, giving a law enforcement officer “the authority to issue a notice of traffic infraction” when “the infraction is detected through the use of a speed safety camera system under section 3 of this act.”

Section 3 would create a new section in chapter 46.63 RCW, directing several state agencies to “adopt regulations for the use of speed safety camera systems in highway work zones,” specifying some rules for the implementation of these systems, and describing the process of administering and allowing for people to contest infractions resulting from these systems. The Washington State Patrol is named as “the primary law enforcement agency to verify and issue the notice of infraction as outlined in subsection (4) of this section.”

This section would also specify that revenue generated by these systems would be required to be deposited into the highway safety fund, first used to cover administrative and operating costs, and then “distributed for the purpose of traffic safety including, but not limited to, driver training education and local DUI emphasis patrols.”

Sections 1 and 3 of the proposed legislation would expire on June 30, 2030.

### **B. SUMMARY OF EXPENDITURE IMPACTS**

*Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.*

The proposed legislation would have no impact on local government expenditures.

Section 3 of the bill specifies that the Washington State Patrol would be the primary law enforcement agency to verify and issue notices of infraction from speed safety camera systems in highway work zones. Accordingly, the Washington Association of Sheriffs and Police Chiefs does not anticipate this bill will have any impact on local law enforcement expenditures.

### **C. SUMMARY OF REVENUE IMPACTS**

*Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.*

The proposed legislation would have no impact on local government revenues.

While section 3 of the bill specifies that any excess revenue generated by speed safety cameras after covering administrative and operating costs “will be distributed for the purpose of traffic safety,” the Washington State Department of Transportation does not anticipate that this provision will impact local government revenues.

#### **SOURCES:**

Local government fiscal note for SB 5272, 2023

Washington Association of Sheriffs and Police Chiefs

Washington State Department of Transportation